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1 Introduction

What is this document about?

1.1 Bedfordshire County Council and Luton Borough Council are charged with producing a Development Plan which will set out policies to control mineral working and identify preferred locations for future quarries. This plan, known as the Minerals Development Framework, will consist of two main documents. The first document, the "Core Strategy", will identify how much mineral working is needed and set out a broad strategy for the location and control of future quarry sites. The second document, the "Sites Allocations Plan", will identify preferred sites for future quarrying.

1.2 Both documents have to pass through a number of consultation stages before they are adopted. These stages are:

1. **"Issues and Options"** consultation - sets out a wide range of policy issues and a long list of potential quarry sites. **This is the stage that we are at now.**
2. **"Preferred Options Consultation"** - we will take the issues and options consultation responses and use them to help us identify what we think are the best policies and future sites. This work will be published for further consultation in summer of 2007.
3. **"Submission draft plans"** - once we have consulted on the preferred options, we will produce draft versions of the final plans. These will be published for further consultation early in 2008, and at the same time submitted to the Government. The Government will appoint an independent Planning Inspector, who will then conduct a Public Examination to gauge whether the submitted plans are "sound". It is likely that the "Core Strategy" and "Site Allocations" plans will be examined separately during 2008.
4. After the examinations, the Inspector will produce a report which says whether the Plans are "sound", and whether any changes are needed. If the Inspector deems the Plans to be "sound" (subject to any possible modifications), then the Councils will adopt them as formal policy. This stage should be reached early in 2009.

1.3 This document is part of the initial "issues and options" consultation which will lead to the **Core Strategy** Document. We consulted on an initial set of issues and options last year, but have since identified four additional issues which need to be addressed before we prepare the "preferred options" Core Strategy document. These new issues are set out for consultation in this document.

2 How to comment

2.1 We would like to hear your views on the 4 new policy issues set out in this document. You can let us have your views in two ways:

1. If you have access to the **internet**, you can view the supplementary issues consultation documents and enter your opinions online. To do this, please go to www.bedfordshire.gov.uk, and follow the links to Environment and planning > Minerals and Waste Policy and Planning > Bedfordshire and Luton Minerals and Waste Development Framework. You will then find the links to the online consultation documents. Please follow the instructions to register and then use the buttons embedded in the documents to post your comments.
2. Alternatively, you can **write or e-mail** to us to let us know your views in writing. If you do this, please make clear which site or policy issue that you are commenting on. Please note that we cannot take comments by telephone, as we need to keep a clear audit trail for all the comments that we receive.

2.2 Please direct written comments to:

Minerals Plan, Minerals and Waste Planning Team, Bedfordshire County Council, County Hall, Cauldwell Street, MK42 9AP, or e-mail MWPlans@bedscc.gov.uk

If you have any queries, please e-mail as above or telephone 01234 276568.

The consultation period closes on Friday 4th May - please ensure that you submit your comments by this date.

Other documents open for consultation

2.3 As well as this document, the following are also open for comment:

1. Minerals supplementary issues (sites) (March 2007) - this sets out a small number of additional site proposals that we have received since the original papers were published.
2. Minerals Development Plans Issues and Options Consultation Papers (Core Strategy and Site Proposals) (Feb 2006) - these are the original consultation papers that we first published last year. They contain 11 key policy issues and the original long-list of 46 sites (4 of which have since been withdrawn). We are re-opening these documents at this time so that anyone who has not yet made any comments has another opportunity to do so. Please note that these older documents are only available for download in MS Word format - they are not available for interactive online consultation. **NB - if you have already made comments against these documents, you do not need to do so again.** Your original comments are registered in the system and will be carried forward as we draw up the next stage ("preferred options") of the Plans.

2.4 All these documents are also available on-line at the above web address, or may be obtained in paper copy from the contacts listed above. Again, please ensure that you submit any comments by Friday 4th May. (NB - the original Issues and Options papers are available to download on the Internet, but are not available in interactive format).

3 Supplementary Issue 1: Land-won aggregates apportionment

3.1 In the initial Issues and Options paper, we asked a series of questions relating to if, and how, we should split the aggregates supply into different categories of minerals, notably "soft" sands and concreting sands & gravels. We did not, however, question the overall supply figure, as set out in the East of England Plan sub-regional apportionment for aggregates supply.

3.2 Our stated apportionment for land-won aggregates is 1.93 million tonnes per year. This figure is derived from the Government's supply forecasts - the National and Regional Guidelines for Aggregates Provision in England and Wales 2001-2016 (DCLG). This sets a production figure for the East of England Region, which in turn has been broken down by the East of England Regional Assembly (EERA) to give County based apportionments, including the Bedfordshire (and Luton) apportionment of 1.93 mt per year.

3.3 Government planning guidance for aggregates is set out in Minerals Policy Statement 1 (MPS1) and its accompanying Annex 1, which was published in November 2006. Paragraph 3.8 of the Annex states that:

"Sub-regional apportionments should not be regarded as inflexible. The preparation by MPAs of their LDDs provides an important opportunity to test the practicality and environmental acceptability of policy proposals at the local level. The provision to be made in each area will need to be justified in relation to other relevant considerations affecting planning for the area."

3.4 This raises the question as to whether the current apportionment of 1.93 million tonnes per year is appropriate, or whether there is a case for using some other figure.

3.5 By way of reference, the production rates for years 1990-2005 are shown below:

Year	Production	Year	Production
1990	2,637	1998	1,910
1991	2,090	1999	1,945
1992	1,910	2000	1,868
1993	1,854	2001	1,909
1994	1,870	2002	1,906
1995	1,710	2003	1,664
1996	1,404	2004	1,965
1997	1,665	2005	1,683

Table 3.1 Aggregates production 1990-2005 (thousand tonnes)

Question 1

Supplementary issue 1 options:

Should be plan to provide land-won aggregates:

To the current apportionment of 1.93 million tonnes per year?, or;

To a lower figure, if so what and why?, or;

To a higher figure, if so what and why?.

4 Supplementary issue 2: Productive Capacity

4.1 The basis for planning the future supply of aggregates is the sub-regional apportionment derived from the Government's supply guidelines and their sub-division to county level by the Regional Assembly (see supplementary issue 1). Government policy, as set out in Minerals Policy Statement 1 (MPS1), "Planning and Minerals", states that planning authorities should maintain a stock of land with planning permission for sand and gravel extraction sufficient for at least 7 years production at the sub-regional apportionment level. This is known as the "landbank" for aggregates supply.

4.2 Planning for landbanks generally does not take account of the actual productive capacity of individual quarries. Productive capacity may be limited by processing plant capacity, transport restrictions or other factors. The Good Practice Guide which accompanies MPS1 states, at paragraph 73, that:

"Detailed examination of productive capacity at specific sites, based on amounts of material that can be actually supplied taking account of any limitations of plant and imposed by planning conditions or agreements, would not generally be appropriate but other factors having a bearing on supply should be considered and would include matters such as:

- necessary restrictions, for environmental reasons, such as limits on output or numbers of lorries leaving sites;
- physical characteristics that limit the amount of material which can be extracted;
- whether production is limited by major infrastructure constraints; and
- whether production is dominated by a single or a few outlets."

4.3 Bedfordshire is a small county, with only a limited number of aggregates processing plant in operation at any given time. There are currently 4 aggregate plant sites in operation, located at Warren Villas Quarry (Sandy), Broom Quarry (near Biggleswade), Willington Quarry (near Bedford) and Whistundoles Farm Quarry (near Salford). Clearly, the addition of new plant sites, or closure of existing ones, would have a significant impact on the productive capacity for aggregates in the County. Additional capacity may result in production rising above the sub-regional apportionment, resulting in more rapid depletion of mineral resources. Conversely, if existing plant were to close and not be replaced, this could result in a shortfall of local aggregate supply.

4.4 In light of this we need to consider whether we should monitor and take account of productive capacity in the context of the Minerals Plans. We could, for example, include a policy in the Core Strategy to control the productive capacity of aggregate plant sites. This needs to be considered in the context of the MPS1 Good Practice Guidance quoted above, together with the particular circumstances of Bedfordshire.

4.5 A related issue is whether we should take account of plant sites in determining the approach to mineral site allocations, and, if so, how. It may be sensible, for example, to favour extensions to sites with existing processing plant before considering new sites in other areas. This would enable optimum use to be made of existing processing capacity. Similarly, we could allocate "satellite" sites close to existing processing plant, which would achieve a similar effect.

Question 2

Supplementary issue 2 options

- 1. Should we monitor and take account of the productive capacity of aggregate plant sites in the Minerals Plans?**
- 2. Should we include policies in the Core Strategy to control the productive capacity of aggregate plant sites?**
- 3. Should we favour extensions to sites with existing processing plant, or "satellite" sites in close proximity, before we consider new sites?**

5 Supplementary issue 3: Mineral Safeguarding Areas

5.1 Since we produced the initial Issues and Options papers, the Government has published revised national mineral planning policy in the form of Mineral Policy Statement 1, "Planning and Minerals" (MPS1), and an accompanying Good Practice Guide. These documents were published in November 2006. MPS1 sets out national policy, whilst the Good Practice Guide provides more informal advice.

5.2 One new feature of MPS1 is a requirement for planning authorities to define Minerals Safeguarding Areas (MSAs) in their development plans. This is in addition to the previous, and continuing, requirement for Mineral Consultation Areas (MCAs). MSAs are intended to provide a stronger degree of protection to mineral-bearing sites than MCAs, which are basically a mechanism to ensure consultation of the Mineral Planning Authority prior to any other form of development taking place.

5.3 MPS1 (paragraph 13) states that planning authorities should:

- **define Mineral Safeguarding Areas (MSAs) in [development plans], in order that proven resources are not needlessly sterilised by non-mineral development, although there is no presumption that resources defined in MSAs will be worked;**
- **encourage the prior extraction of minerals, where practicable, if it is necessary for non-mineral development to take place in MSAs;**
- **in unitary planning areas, define MSAs in [development plans] to alert prospective applicants for non-minerals development to the existence of valuable mineral resources;**
- **in two-tier planning areas, include policies and proposals to safeguard mineral resources within MSAs in county [development plans] and how MSAs in district [development plans]. Counties should define Mineral Consultation Areas (MCAs) based on their MSAs. MCAs should also be reflected in district [development plans]. Where a planning application is made for non-mineral development within a MCA, the district should consult the county on the application;**
- **district councils responsible for spatial planning of land defined in MSAs should not normally include policies and proposals in their [development plans] for non-minerals development in those areas, or sensitive development around safeguarded mineral areas, where such policies would affect the potential for future extraction of minerals;**
- **safeguard existing, planned and potential rail heads, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, particularly coal and aggregates, including recycled, secondary and marine-dredged materials;**
- **identify future sites to accommodate the above facilities and reflect any such allocations in the [development plans] of district councils in two-tier planning areas. District councils in these areas should not normally permit other development proposals near such safeguarded sites where they might constrain future use for these purposes;**
- **safeguard existing, planned and potential sites including rail and water-served, for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material. Where appropriate, identify future sites for these uses and reflect any such allocations in the [development plans] of district councils in two-tier planning areas.**

5.4 The Good Practice Guide says (paragraph 32):

The planning system has an important role to play in safeguarding proven deposits of minerals which are, or may become, of economic importance within the foreseeable future, from unnecessary sterilisation by surface development. It is therefore important that mineral safeguarding areas (MSAs) are identified and that appropriate safeguarding policies are incorporated in [development plans]. MSAs can be defined objectively using the best available geological and minerals resource information, including that published or held by the British Geological Survey or made available by the industry. However initially defined, areas will generally need to be refined in discussion with the industry and other stakeholders. It should be kept in mind that, in addition to proposed development within a MSA, incompatible development that is allowed close to a MSA may also lead to sterilisation of part of the reserves. It may be appropriate to develop policies for prior extraction of minerals, where practicable, within safeguarded areas.

5.5 MSAs are a new requirement, and have not before been considered in Bedfordshire. Given the strength of the MPS1 policy requirement, it is clear that MSAs will have to be addressed in our Minerals Plans. The issue is how best to address this need.

5.6 One option would be to define MSAs via a dedicated Development Plan Document within the Minerals Framework. This document would be developed in the same way as other DPDs, i.e via the "issues and options" - "preferred options" - submission draft process of interactive consultation. This approach would have the advantage that MSAs could be addressed with rigour in a dedicated document without causing extra complication in the Core Strategy and Site Allocation Plans. Furthermore, having dedicated document would mean that the MSAs could, if necessary, be revised without having to revisit other plans. If this approach is to be followed, it would also appear to make sense that Mineral Consultation Areas are also included, thus creating a comprehensive mineral safeguarding document. However, no such document is yet set out in the Minerals and Waste Development Scheme, so this would have to be revised prior to commencement of any work on this matter.

5.7 An alternative approach would be to incorporate MSAs in the Site Allocations Plan. This would avoid the need to create an additional document, but would mean that we would have to delay production of the Site Allocations Plan in order to develop the evidence base for MSAs and undertake initial consultation.

Question 3

Supplementary issue 3 options:

1. **Should we identify Mineral Safeguarding Areas via a dedicated Development Plan Document, or should we delay the production of the Site Allocations Plan in order to incorporate MSAs there?**
2. **If there is to be a dedicated Development Plan Document, should this also address Mineral Consultation Areas so that it forms a comprehensive "Mineral Safeguarding" Document?**

6 Supplementary Issue 4: How to consider the contribution of recycled aggregates

6.1 In the previous Issues and Options consultation paper, we asked whether aggregate recycling would be best addressed in the Minerals Plans or the Waste Plans, or by using supply assumptions in the Minerals Plan, whilst identifying particular sites for recycling operations via the Waste Plans.

6.2 We now need to consider what actual level of aggregate recycling we should plan for.

6.3 At the national level, the Government produces forecasts of demand for aggregates, which are used as the basis for planning at the regional and local levels. These forecasts include assumptions relating to the supply of recycled aggregates, and are set out for each region. For primary (i.e. virgin) aggregates, the East of England Regional Assembly (EERA) has broken down the regional supply figure to provide a "apportionment" for each County. This is where our supply figure of 1.93 million tonnes per year comes from.

6.4 For recycled aggregates EERA has not yet produced a County based apportionment figure. It is likely that this work will be done the next time the East of England Plan is reviewed, but in the meantime, we need to identify how much aggregate recycling we should plan for in Bedfordshire and Luton.

6.5 The Government's figures for aggregates supply in the East of England region are set out in the National and Regional Guidelines for Aggregates Provision in England 2001-2016. These figures are set out in the table below (figures are for total 16 years supply - 2001-2016 inclusive).

	Guidelines for land-won provision		Assumptions		
Region	Land-won sand & gravel	Land-won Crushed rock	Marine sand and gravel	Alternative Materials	Net imports to England
East of England	256	8	32	110	8

Table 6.1 Extract from National and Regional Guidelines for Aggregates Provision in England 2001-2016 (million tonnes)

6.6 "Alternative" materials include recycled aggregates and "secondary" aggregates, the latter being by-products of quarrying activity, such as scalplings produced as a by-product of slate quarrying. In Bedfordshire and Luton, there is very little production of secondary materials, so "alternative" materials will effectively all be recycled aggregates.

6.7 From the above table, it can be seen that across the East of England as a whole, alternative materials are expected provide a level of supply equivalent to 42% of the land-won provision. This provides an obvious base option for planning the level of recycling activity in Bedfordshire and Luton - i.e. make provisions for facilities sufficient to supply recycled aggregates at a rate equivalent to 42% of the land-won provision. This would mean that we should plan for 42% of 1.93 million tonnes, i.e. 810,000 tonnes per year of aggregate recycling capacity.

6.8 Alternatively, we could aim to surpass this figure on the basis that aggregate recycling is inherently sustainable and should be maximised. This would, however, depend on sufficient feedstock being available in the form of construction and demolition wastes and other sources. The most recent data at the local level relate to 1998/99, at which time some 585,000 tonnes of potentially recyclable material was identified in

Bedfordshire and Luton (Bedfordshire and Luton Minerals and Waste Local Plan, Jan 2005). Although we do not have accurate up to date figures, we think that this amount has remained relatively stable. this may indicate that an enhanced recycling rate may not be practically achievable.

Question 4

Supplementary issue 4 options:

Should we plan for aggregate recycling capacity to:

1. **Provide for an amount equivalent to the national assumptions for recycling - i.e. 42% equivalent of land-won supply = 810,000 tonnes per year, or;**
2. **A higher figure - if so, what, and could this be achieved in practice?, or;**
3. **A lower figure - on the basis that available figures suggest that only 585,000 tonnes of potentially recyclable material are available in the local area? - if so, what figure should we use?**